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12 Attorneys for United States of America

13 UNITED STATES DISTRICT COURT

14 NORTHERN DISTRICT OF CALIFORNIA

15 SAN FRANCISCO DIVISION

16 UNITED STATES OF AMERICA,) No. CR19-226 RS
17 Plaintiff,)
18 v.)
19 LORENZO LEE,)
20 JEFFREY MCCOY,)
21 JESSE LOPEZ, III,)
22 TIMOTHY PEOPLES,)
23 EVAN MARTINEZ-DIAZ,)
24 Defendants.)
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26
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) STIPULATION TO CONTINUE MAY 11, 2021
) STATUS CONFERENCE TO JUNE 15, 2021
) AND TO EXCLUDE TIME UNDER THE
) SPEEDY TRIAL ACT; ORDER

21 The parties appeared before the Court on March 30, 2021 for a status conference. Defense
22 counsel for Lorenzo Lee, Gail Shifman, notified the Court that she was scheduled for surgery and would
23 not be able to work for a period during her recovery. Defense counsel has only recently returned to
24 work, is not yet working full-time, and needs additional time to review the discovery, including wiretap
25 materials, in this case, and to meet with, and discuss the discovery with her client. The parties therefore
26 stipulate and request that the Court continue the status conference set for May 11, 2021 to June 15, 2021
27 to allow for effective preparation of counsel.

28 The parties stipulate and agree that:

- 1 1. The status conference set for May 11, 2021 should be continued to June 15, 2021 to provide
2 time for defense counsel to review discovery.
3 2. The time from May 11, 2021 through June 15, 2021 should be excluded under the Speedy
4 Trial Act because failure to grant the requested continuance would deny defense counsel the
5 reasonable time necessary for effective preparation, taking into account the exercise of due
6 diligence. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). The ends of justice served by granting the
7 requested continuance outweigh the best interests of the public and the defendants in a
8 speedy trial and in the prompt disposition of criminal cases. *See id.* § 3161(h)(7)(A).

9 IT IS SO STIPULATED.

10 DATED: May 10, 2021

Respectfully submitted,

11 STEPHANIE M. HINDS
12 Acting United States Attorney

13 _____
14 /s/
15 DANIEL PASTOR
16 Assistant United States Attorney

17 DATED: May 10, 2021

18 _____
19 /s/
20 GAIL SHIFMAN
21 Counsel for Defendant Lorenzo Lee

22 DATED: May 10, 2021

23 _____
24 /s/
25 ERICK L. GUZMAN
26 Counsel for Defendant Jesse Lopez, III

27 DATED: May 10, 2021

28 _____
29 /s/
30 KENNETH WINE
31 Counsel for Defendant Jeffrey McCoy

32 DATED: May 10, 2021

33 _____
34 /s/
35 KATHY LYNN TROSCLAIR
36 Counsel for Defendant Timothy Peoples

37 DATED: May 10, 2021

38 _____
39 /s/
40 ARTURO HERNANDEZ
41 Counsel for Defendant Evan Martinez-Diaz

ORDER

Based upon the facts set forth in the stipulation of the parties and for good cause shown, the Court finds that exclusion from the time limits applicable under 18 U.S.C. § 3161 (the Speedy Trial Act) for the period from May 11, 2021 through June 15, 2021, is warranted because failure to grant the requested exclusion would unreasonably deny defense counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court further finds that the ends of justice served by granting the requested continuance outweigh the best interests of the public and the defendants in a speedy trial and in the prompt disposition of criminal cases. 18 U.S.C. § 3161(h)(7)(A).

The status conference set for May 11, 2021 is rescheduled to June 15, 2021 at 2:30 p.m.

DATED: May 10, 2021

Richard Seeborg
HON. RICHARD SEEBORG